



**Blue Ribbon Commission on America's Nuclear Future
Public Forum on Its Draft Report to the Secretary of Energy
Denver, Colorado
September 13, 2011**

The Blue Ribbon Commission on America's Nuclear Future (BRC) held the first in a series of public forums to discuss its draft report to the Secretary of Energy. The meeting took place in Denver, Colorado on September 13, 2011. The purpose of the forum was to provide an opportunity for interested and affected parties to comment on the BRC's draft report. The BRC was formed by the Secretary of Energy at the request of the President to conduct a comprehensive review of policies for managing the back end of the nuclear fuel cycle and recommend a new plan. The draft report highlights the Commission's findings and conclusions to date and articulates a preliminary set of consensus recommendations for public review and input.

During the forum, participants joined a series of breakout sessions to discuss the report's recommendations in more detail. Below is a summary of the highlights from those discussions.

Feedback on the Draft Report

Many participants expressed the sentiment that the report acknowledged and responded to a number of key issues that need to be addressed.

- ***Values in the Siting Process:*** Many participants supported the notion that all siting processes need to be based on local consent of the host community to receive nuclear waste, on scientific concerns rather than political considerations, and on better cooperation between federal and state/local officials.
- ***Addressing Lack of Trust Among Parties:*** Several participants noted the report takes important steps to addressing the mistrust that exists between the federal government, state/local/tribal governments, and citizens regarding nuclear waste siting. Additional clarity and transparency on siting criteria and scientific standards used in determining appropriate disposal sites will further begin to

build trust between the disparate entities involved in disposal siting decisions

- ***Agreement on Need for RD&D:*** Many participants supported the need to safely dispose of nuclear waste already created articulated in the Executive Summary of the report, whether or not they support the use of nuclear power. To that end, there was widespread support for the BRC's emphasis on research, development, and deployment of technologies to address the nuclear waste issue.

Issues to Be Addressed

Participants raised many issues during the breakout sessions. The following summary attempts to bring together many of these issues into a set of key concerns that the Commission should consider going forward.

- ***Questions on Nuclear Power:*** A significant minority of participants in the meeting argued that the BRC report assumes that nuclear power production should continue. These participants believe that the best way to reduce nuclear waste is to stop producing it altogether, and they want to understand how that viewpoint will be factored into the Commission's deliberations. Other participants argued that nuclear waste production should be limited until solutions to long-term storage issues are identified. Participants offered a specific recommendation that the BRC report should discuss identifying the purpose of storage first, then based on that determine the best way to dispose of spent fuel (onsite, interim storage, deep geologic storage).
- ***Clarifying and Expanding the State Role:*** Many participants expressed the need for clearer, more robust roles for states in the siting process. They agreed that States should be engaged early in the siting process, and some argued that the state policing role is key to establishing support among local parties. Participants noted that while the federal government has the role of setting parameters, there are a number of roles that state governments can play in the siting process:
 1. States can play a central role in building partnerships with federal entities and local authorities
 2. State agencies can provide more scientific support to make sound siting decisions
 3. States must play a critical role when there are disagreements within or between communities affected by a specific siting proposal
 4. States that have waste at active facilities should be engaged in finding disposal solutions along with federal authorities

- ***More Specificity Needed:*** Several participants noted that the report needed more specific guidance on several areas, including:
 1. How transparency and the consent-based approach will be implemented in the context of the NRC licensing process.
 2. The role, functions, and authorities of the new waste management agency proposed in the report.
 3. The meaning of the “consultative role” for local communities identified in the report, as well as the meaning of “affected communities.”
 4. A broader discussion of transportation issues, including the need for regulatory reform to manage transport of nuclear waste material, the appropriate mode of transportation (rail vs. truck), development of optimal routing systems, and emergency response training.
 5. Next steps on establishing siting guidelines and protocols
- ***Site Suitability and Tribal Lands:*** The BRC report does not provide enough detail on using suitability as a significant criterion for siting waste facilities. Some participants were concerned that political and economic considerations may trump site suitability issues in some siting cases. This issue needs to be addressed early in the siting process, and the report should provide some additional guidance to demonstrate how that would be done
- ***Tribal Lands Issues:*** Some participants suggested that the BRC should recommend that tribal lands be removed from consideration for nuclear waste disposal sites. Some commenters also said if a tribe surrounded by a state is a candidate, that state’s governor should have a veto or other authority over the decision.
- ***Addressing the Front End of the Nuclear Cycle:*** Some participants were disappointed that the report only discussed the back end of the nuclear cycle and asserted that the report should address the front end of the nuclear cycle as well (e.g., disposition of mill tailings and the mining and milling process).
- ***Separation of Defense and Utility Waste:*** Some participants posited that separating the issue of disposal of spent fuel separately from the question of whether or not to use nuclear power in the future is a good approach, while others suggested the issue of disposal is necessary but not sufficient and the BRC should develop a broader, more strategic approach to the broader issue of nuclear power development. Some participants noted that the disposal of defense nuclear waste

materials could demonstrate the ability to safely dispose of discrete quantities of waste.

Next Steps to Improve Interactions between the Federal Government and Tribes, States, and Localities

Participants offered suggestions for engagement in the broader development of nuclear power policy, including:

- ***Review Boards:*** Create review boards that include technical experts, local and state government interests, and citizen groups to review siting proposals and empower these boards to make binding recommendations on final siting decisions.
- ***Radioactive Literacy:*** Education of the general public on the technical capacity for managing nuclear waste is key to building trust among all parties. Both state and federal agencies have a significant role to play in this function. Some participants suggested that a specific agency be given responsibility for this task (possibly DOE or NRC) and partner with state governments to develop programs and activities that build the knowledge base among the public.
- ***Expertise Needed at the Local Levels:*** Individuals with expert knowledge of nuclear waste disposal issues will be necessary at the local level to foster a robust consent-based decision making structure. Participants suggested that federal entities work with state and local agencies to build such capacity at the local levels.
- ***Support for Public Engagement:*** Federal and state governments should provide financial and travel support to enable states and state regional groups to participate and engage in the discussion (e.g., WGA efforts to support public participation).
- ***Caution Against Changing the Atomic Energy Act:*** Some participants suggested that changing the Atomic Energy Act would potentially allow all fifty states to define their own approaches to securing nuclear waste material, which would be a problem. The Atomic Energy Act sets up uniform standards for safety and security for special nuclear material/radiated material. A better option may be to change the Nuclear Waste Policy Act.

Suggestions for Future Regional Workshops

- ***Increase Attendance from Public Interest Groups:*** Several participants suggested that the participation of individuals from NGOs engaged in the nuclear power discussion was surprisingly low. They recommend that the BRC expand the

invitation list and increase public information about the future workshops to encourage greater attendance by public interest groups and individuals from affected/potentially affected communities.

- ***Responding to Public Comments:*** At future meetings and on the website, explain the process the BRC will use to assess and respond to comments. It was suggested that the BRC incorporate consensus changes into the report and articulate different points of view.
- Question: Will comments /testimony provided between release of draft report and first public meeting be available on BRC website?